

JOURNAL OF THE SENATE

Friday, June 7, 1963

The Senate convened at 11:00 o'clock A. M., pursuant to adjournment on Thursday, June 6, 1963.

The President in the Chair.

The roll was called and the following Senators answered to their names:

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

—43.

A quorum present.

Senators Friday and Stratton were excused from attendance upon the Session.

The following Prayer was offered by the Senate Chaplain, The Reverend George C. Bedell:

Our lives are not always easy, O God, and we ask for strength to meet the difficult problems that the days ahead may bring to us. Open our eyes to the possibilities of the future. Help us to put the past behind us and give us the courage to pour all our energies into the race that is set before us that we may one day gain entrance to thy kingdom. Amen.

The reading of the Journal was dispensed with.

The Senate daily Journal of Thursday, June 6, 1963, was corrected and as corrected was approved.

REPORTS OF COMMITTEES

Senator Pearce, Chairman of the Committee on Finance and Taxation, reported that the Committee had carefully considered the following Bill:

S. B. NO. 1121

—and recommends that the same pass.

And the Bill contained in the preceding report was referred to the Committee on Temperance under the original multiple reference.

Senator Edwards, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bills:

H. B. NO. 6

H. B. NO. 886

H. B. NO. 1699

—and recommends that the same pass.

And the Bills contained in the preceding report were placed on the Calendar of Bills on Second Reading.

Senator Edwards, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

S. B. NO. 787

—and recommends that the same pass with committee amendments as attached thereto.

And the Bill contained in the preceding report, together

with the committee amendments attached thereto, was placed on the Calendar of Bills on Second Reading.

Senator Edwards, Chairman of the Committee on Appropriations, reported that the Committee had carefully considered the following Bill:

H. B. NO. 534

—and recommends that the same not pass.

And the Bill contained in the preceding report was laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred, with House amendments, for engrossing—

S. B. NO. 309—A BILL TO BE ENTITLED AN ACT RELATING TO EXEMPTION OF PROPERTY, REAL AND PERSONAL, FROM TAXATION; AMENDING SECTION 192.06, FLORIDA STATUTES, BY ADDING SUBSECTION (13); PROVIDING FOR THE EXEMPTION OF REAL AND PERSONAL PROPERTY OF CERTAIN HOSPITALS FROM TAXATION, AND PROVIDING AN EFFECTIVE DATE.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 309, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. NO. 397—A BILL TO BE ENTITLED AN ACT RELATING TO GENERAL SCHOLARSHIP LOANS FOR THE PREPARATION OF TEACHERS; AMENDING SECTIONS 239.38, 239.41, AND 239.42, FLORIDA STATUTES; PROVIDING FOR UTILIZATION OF SCHOLARSHIP LOANS ON TRIMESTER SCHEDULE; PROVIDING FOR AN APPROPRIATION; PROVIDING FOR SCHOLARSHIP LOANS AT THE JUNIOR AND SENIOR YEAR OF COLLEGE; AND PROVIDING AN EFFECTIVE DATE.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 397, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendments, for engrossing—

S. B. NO. 422—A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE CREATION AND APPOINTMENT OF A COMMITTEE OF THE LEGISLATURE TO MAKE INVESTIGATIONS OF THE ACTIVITIES IN THIS STATE OF ORGANIZATIONS AND INDIVIDUALS ADVOCATING VIOLENCE OR A COURSE OF CONDUCT WHICH WOULD CONSTITUTE A VIOLATION OF THE LAWS OF FLORIDA; INFILTRATION OF

AGENCIES SUPPORTED BY STATE FUNDS BY PRACTICING HOMOSEXUALS AND THE POLICIES OF STATE AGENCIES IN DEALING THEREWITH; FOR THE CONDUCT OF HEARINGS AND THE SUBPOENING OF WITNESSES; PROVIDING FOR CIRCUIT COURTS TO ENFORCE COMMITTEE'S PROCESSES; FOR A REPORT OF SUCH COMMITTEE TO THE 1965 LEGISLATURE; AUTHORIZING THE EMPLOYMENT OF SPECIALIZED ASSISTANCE BY THE COMMITTEE; PROVIDING FOR THE EXPENSES OF THE COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR THE EXTENSION OF THE JOINT COMMITTEE SET UP BY CHAPTER 61-62, LAWS OF FLORIDA, 1961, UNTIL THE COMMITTEE CREATED BY THIS ACT IS DULY APPOINTED AND ORGANIZED.

—begs leave to report that the amendments have been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 422, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. NO. 719—A BILL TO BE ENTITLED AN ACT REMOVING BREVARD COUNTY FROM THE PROVISIONS OF THE WATER AND SEWER SYSTEM REGULATORY LAW, BEING CHAPTER 367, FLORIDA STATUTES 1961; AND PROVIDING AN EFFECTIVE DATE.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 719, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. NO. 830—A BILL TO BE ENTITLED AN ACT RELATING TO DISTRIBUTION OF RACE TRACK MONEY IN ANY COUNTY OF THE STATE HAVING A POPULATION OF NOT LESS THAN SIX THOUSAND EIGHT HUNDRED (6,800) NOR MORE THAN SEVEN THOUSAND FOUR HUNDRED (7,400) ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING EFFECTIVE DATE.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 830, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. NO. 1261—A BILL TO BE ENTITLED AN ACT AMENDING CHAPTER 57-1387, LAWS OF FLORIDA, SPECIAL ACTS OF 1957, PROVIDING IN SECTION 1

THEREOF, FOR A PERMISSIBLE INCREASE IN THE AMOUNT OF LIFE INSURANCE FOR COUNTY OFFICERS AND EMPLOYEES, UPON A GROUP INSURANCE PLAN, BY STRIKING THE PHRASE "NOT IN EXCESS OF ONE THOUSAND DOLLARS (\$1,000.00)", AND SUBSTITUTING THEREFOR THE PHRASE "NOT IN EXCESS OF TWO THOUSAND DOLLARS (\$2,000.00)"; AND FURTHER PROVIDING THE ADDITION OF A SECTION 1-A, PROVIDING THAT THE HILLSBOROUGH COUNTY AVIATION AUTHORITY, THE HILLSBOROUGH COUNTY PORT AUTHORITY, THE BOARD OF PUBLIC ASSISTANCE OF HILLSBOROUGH COUNTY AND OTHER SIMILARLY CREATED PUBLIC BODIES CORPORATE, OR THEIR LEGAL SUCCESSORS, MAY ENTER, JOINTLY OR SEVERALLY, INTO AGREEMENTS FOR GROUP INSURANCE FOR THEIR OFFICERS AND EMPLOYEES TO PROVIDE HEALTH, ACCIDENT, HOSPITALIZATION INSURANCE AND FOR LIFE INSURANCE NOT IN EXCESS OF TWO THOUSAND DOLLARS (\$2,000.00); PROVIDING FOR CONTRIBUTIONS BY SUCH AUTHORITIES, BOARDS, OR AGENCIES NOT TO EXCEED ONE HALF (½) OF THE COST OF SUCH INSURANCE AND FOR THE DEDUCTION OF THE REMAINING COST FROM WAGES OR SALARIES OF THOSE PARTICIPATING THEREIN; DECLARING THE SAME TO BE FOR A COUNTY PURPOSE AND PROVIDING THAT PARTICIPATION THEREIN MAY BE ENTIRELY VOLUNTARY; AND PROVIDING AN EFFECTIVE DATE.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 1261, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

Your Engrossing Clerk to whom was referred, with House amendment, for engrossing—

S. B. NO. 1312—A BILL TO BE ENTITLED AN ACT TO ABOLISH THE PRESENT MUNICIPAL GOVERNMENT OF THE TOWN OF KEYSTONE HEIGHTS, CLAY COUNTY, AND TO ESTABLISH, ORGANIZE AND CONSTITUTE A NEW MUNICIPALITY TO BE KNOWN AND DESIGNATED AS THE CITY OF KEYSTONE HEIGHTS IN THE COUNTY OF CLAY AND STATE OF FLORIDA, AND TO DEFINE ITS TERRITORIAL BOUNDARIES AND PROVIDE FOR ITS JURISDICTION, POWERS AND PRIVILEGES; AND PROVIDING FOR A REFERENDUM ELECTION.

—begs leave to report that the amendment has been incorporated in the Bill and the same is returned herewith, as engrossed.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Engrossing Clerk
of the Senate

And Senate Bill No. 1312, contained in the above report, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk of the Senate, for enrolling.

ENROLLING REPORTS

Your Enrolling Clerk to whom was referred—

H. B. NO. 88	H. B. NO. 458
H. B. NO. 374	H. B. NO. 491
H. B. NO. 456	H. B. NO. 862

H. B. NO. 1015
H. B. NO. 1321
H. B. NO. 1589
H. B. NO. 2217
H. B. NO. 2218
H. B. NO. 2229

H. B. NO. 2233
H. B. NO. 2234
H. B. NO. 2238
H. B. NO. 2239
H. B. NO. 2240
H. B. NO. 2242

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 358	H. B. NO. 2113
H. B. NO. 1490	H. B. NO. 2114
H. B. NO. 1629	H. B. NO. 2115
H. B. NO. 1793	H. B. NO. 2117
H. B. NO. 1966	H. B. NO. 2119
H. B. NO. 1970	H. B. NO. 2132
H. B. NO. 1996	H. B. NO. 2133
H. B. NO. 2013	H. B. NO. 2134
H. B. NO. 2067	H. B. NO. 2136
H. B. NO. 2089	H. B. NO. 2139
H. B. NO. 2095	H. B. NO. 2148
H. B. NO. 2104	H. B. NO. 2149
H. B. NO. 2105	H. B. NO. 2152
H. B. NO. 2108	H. B. NO. 2209
H. B. NO. 2109	H. B. NO. 2213
C. S. FOR H. B. NO. 1004	

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 909	H. B. NO. 2146
H. B. NO. 1601	H. B. NO. 2147
H. B. NO. 1810	H. B. NO. 2151
H. B. NO. 1845	H. B. NO. 2153
H. B. NO. 2094	H. B. NO. 2155
H. B. NO. 2135	H. B. NO. 2156
H. B. NO. 2143	H. B. NO. 2161

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 1005	H. B. NO. 1955
H. B. NO. 1276	H. B. NO. 1956
H. B. NO. 1330	H. B. NO. 1960
H. B. NO. 1446	H. B. NO. 1969
H. B. NO. 1605	H. B. NO. 1997
H. B. NO. 1692	H. B. NO. 1998
H. B. NO. 1713	H. B. NO. 1999
H. B. NO. 1784	H. B. NO. 2000
H. B. NO. 1817	H. B. NO. 2017
H. B. NO. 1874	H. B. NO. 2021
H. B. NO. 1884	H. B. NO. 2058
H. B. NO. 1885	H. B. NO. 2110
H. B. NO. 1886	H. J. R. NO. 869

—reports same have been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 1730

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 2354

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Your Enrolling Clerk to whom was referred—

H. B. NO. 2406

—reports same has been properly enrolled, signed by the Speaker and Chief Clerk of the House of Representatives, and by the President and Secretary of the Senate, and presented to the Governor on June 6, 1963.

ROBT. W. DAVIS
Secretary of the Senate as
Ex Officio Enrolling Clerk
of the Senate

Senator Johns moved that the House of Representatives be requested to return House Bill No. 759 to the Senate for further action.

Which was agreed to and it was so ordered.

Senator Price moved that the House of Representatives

be requested to return Senate Bill No. 300 to the Senate for further action.

Which was agreed to and it was so ordered.

Senator Kelly moved that the House of Representatives be requested to return House Bill No. 2508 to the Senate for further action.

Which was agreed to and it was so ordered.

INTRODUCTION OF RESOLUTIONS, MEMORIALS, BILLS AND JOINT RESOLUTIONS

By Senators Johnson (19th) and Connor—

S. B. NO. 1383—A BILL TO BE ENTITLED AN ACT APPROPRIATING ONE HUNDRED SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) FOR THE PURPOSE OF MATCHING FEDERAL FUNDS FOR FINANCING EQUIPMENT FOR THE FLORIDA CENTRAL EAST COAST EDUCATIONAL TELEVISION, INC., CHANNEL 24; PROVIDING EFFECTIVE DATE.

Which was read the first time by title only and referred to the Committee on Appropriations.

By Senator Galloway—

S. B. NO. 1384—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE LICENSES; AMENDING SECTIONS 320.08 (1), (2), (8), (10), AND 320.081 (2), FLORIDA STATUTES; PROVIDING AN INCREASE IN LICENSE FEES FOR CERTAIN VEHICLES AND CERTAIN TRAILERS; PROVIDING AN EFFECTIVE DATE.

Which was read the first time by title only.

Senator Pearce moved that the rules be waived and Senate Bill No. 1384 be placed on the Calendar of Bills on Second Reading, without reference.

Which was agreed to by a two-thirds vote and it was so ordered.

By permission, the following special communication from the Honorable B. K. Roberts, Chief Justice of the Supreme Court of Florida, was received and read:

STATE OF FLORIDA
TALLAHASSEE

June 6, 1963

Honorable Wilson Carraway
President of the Senate
The Capitol
Tallahassee, Florida

*Re: Impeachment of Circuit
Judge Richard Kelly.*

Dear Mr. President:—

On this date Honorable William G. O'Neill and C. Welborn Daniel, managers on the part of the House of Representatives in subject matter, filed with me, as Chief Justice of the Supreme Court of Florida and ex officio Presiding Judge over impeachment proceedings, a Petition for the impounding of certain records, memoranda and files for use before and during such proceeding, the details of which will more fully appear by reference to same, the original being enclosed herewith. Because of the apparent urgency of the situation, I have entered an Order granting temporary relief to the petitioners, the conditions of which will also appear by reference to the original of such Order enclosed herewith.

Request is respectfully made that the Petition and Order be incorporated in the Senate Journal, and the originals filed in the impeachment file; and that thereafter the State Senate review the temporary Order I have made and make such final disposition as it may deem appropriate.

Respectfully,
B. K. ROBERTS.

Enclosures

OFFICE OF THE CHIEF JUSTICE SUPREME COURT OF FLORIDA

IN RE ARTICLES OF IMPEACHMENT
OF CIRCUIT JUDGE RICHARD KELLY,
SIXTH JUDICIAL CIRCUIT.

PETITION

Comes now, William G. O'Neill and C. Welborn Daniel, duly appointed and acting managers on the part of the House of Representatives of the State of Florida in re the matter of impeachment of Circuit Judge Richard Kelly and would represent and show unto this honorable court as follows:

1. That upon information and belief certain records, public and private, and office memoranda are being removed or about to be removed from the courthouse and the offices of the said Circuit Judge in the courthouse of Pasco County at Dade City, Florida.

2. That the House of Representatives by the necessary constitutional requirement voted Articles of Impeachment on June 5, 1963 against the said Richard Kelly, Circuit Judge, Sixth Judicial Circuit.

3. Article 3, Section 34 of the Florida Constitution provides that immediately upon the impeachment of any officer by the House of Representatives he shall be disqualified from performing any of the duties of his office until acquitted by the Senate.

4. That upon information and belief the hereinabove mentioned records, files and memoranda are and will be vital to the presentment of said Articles of Impeachment before the Senate of the State of Florida.

WHEREFORE, the undersigned as aforesaid respectfully represent and pray that this honorable court will enter its order impounding, preserving any and all said records, memoranda and files for use before and during such impeachment proceeding, and that such records, memoranda and files be made immediately available to the undersigned managers on the part of the House of Representatives or to their designee by whomever may have such records, memoranda or files in their care, custody and control.

Dated at Tallahassee, Leon County,
Florida, this 6th Day of June 1963

WILLIAM G. O'NEILL

C. WELBORN DANIEL
Managers on the part of
House of Representatives
in the above matter.

STATE OF FLORIDA COUNTY OF LEON

Before the undersigned authority personally appeared William G. O'Neill and C. Welborn Daniel, and after being by me first duly sworn, depose and say that the allegations contained in the foregoing Petition are true, except as to those matters alleged upon information and belief, and as to such matters they verily believe them to be true.

WITNESS my hand and Notarial seal this 6th day of June A. D. 1963.

RUBY C. BOLTON
Notary Public

Notary Public, State of Florida at Large
My Commission Expires Nov. 21, 1965
Bonded by American Surety Co. of N. Y.

OFFICE OF THE CHIEF JUSTICE
SUPREME COURT OF FLORIDA

IN RE IMPEACHMENT OF CIRCUIT
JUDGE RICHARD KELLY, SIXTH
JUDICIAL CIRCUIT OF FLORIDA.

ORDER IMPOUNDING RECORDS

This matter came on to be heard upon the ex parte sworn Petition of William G. O'Neill and C. Welborn Daniel, duly appointed and acting managers on the part of the House of Representatives of the State of Florida in the matter of impeachment of Circuit Judge Richard Kelly; and it appearing that the House of Representatives of the Legislature of Florida, on June 5, 1963, voted Articles of Impeachment against said Richard Kelly, Circuit Judge of the Sixth Judicial Circuit; and it further appearing that Section 34 of Article III of the Constitution of Florida provides that immediately upon the impeachment of any officer by the House of Representatives, he shall be disqualified from performing any of the duties of his office until acquitted by the Senate; and it further appearing from the sworn Petition, upon information and belief, that certain records, public and private, and office memoranda are being removed, or about to be removed, from the Courthouse in Pasco County, Florida and the office provided for the said Circuit Judge therein, and that, upon information and belief, the hereinabove records, memoranda and files will be vital to the presentation of said Articles of Impeachment before the Senate of the State of Florida; and it further appearing that Section 29 of Article III of the Constitution of Florida designates the Chief Justice to preside at the trial in this matter, and further provides that all impeachments shall be tried by the Senate; and representation having been made to this Court that the cause of the prosecution may suffer immediate and irreparable injury unless such records, memoranda and files are impounded; and the Chief Justice having discussed the matter with Judge Richard Kelly over long distance telephone subsequent to the filing of the Petition here, and that he, the said Circuit Judge Richard Kelly, having objected to the delivery of such documents to the petitioners, and after discussion, agreed with the undersigned that, in the event such records are impounded, they should be placed under seal and impounded with the Chief Justice until further lawful disposition should be made of same, and that the inspection of such records should in due time be made available to said Judge Richard Kelly in the preparation of his defense;

NOW, THEREFORE, IT IS ORDERED that all official records, official memoranda, official files and official documents, and any other papers heretofore used by the said Judge Richard Kelly in the performance of his duties as a Circuit Judge, shall be by the Sheriff of Pasco County, packaged under seal and delivered by the Sheriff of Pasco County to the Chief Justice of the Supreme Court of Florida, then and there to be held until this Petition and this Order can be reviewed by the Senate of Florida; provided, however, that unless the Senate has acted on the Petition and reviewed this Order within a period of thirty (30) days from date, this Order shall expire and the impounded records returned to the Presiding Circuit Judge in and for Pasco County, Florida.

This is a temporary Order made to preserve the records for the benefit of the prosecution and defense pending review and consideration by the Senate of Florida.

Done and Ordered this 6th day of June A. D. 1963.

B. K. ROBERTS,
Chief Justice.

Senator Cross moved that the foregoing communication from the Chief Justice of the Supreme Court of Florida be spread upon the Journal of the Senate.

Which was agreed to and it was so ordered.

Senator Cross, Chairman of the Committee on Rules and Calendar, moved that the Senate fix 11:00 o'clock A. M., September 9, 1963, as the time to convene for the purpose of trying Circuit Judge Richard Kelly on the Articles of Impeachment preferred against him by the House of Representatives, as more fully set forth in House Resolution No. 2504, with the Chief Justice of the Florida Supreme Court presiding, as provided by Section 29, Article III, of the Constitution of the State of Florida.

Which was agreed to and it was so ordered.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received:

STATE OF FLORIDA
OFFICE OF THE GOVERNOR
TALLAHASSEE

June 7, 1963

*The Honorable Wilson Carraway
President of the Senate
The Capitol
Tallahassee, Florida*

Dear Sir:

I have today filed in the office of the Secretary of State Senate Bill No. 535, Regular Session, 1963, same having remained in my office for the full constitutional period of five days and will become law without my approval.

Respectfully,
FARRIS BRYANT
Governor

MESSAGES FROM THE HOUSE OF
REPRESENTATIVES

The following messages from the House of Representatives were received and read:

Tallahassee, Florida
June 7, 1963

*The Honorable Wilson Carraway
President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Johnson (6th)—

S. B. NO. 1380

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Bill No. 1380, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida
June 7, 1963

*The Honorable Wilson Carraway
President of the Senate*

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Barber—

S. B. NO. 1184

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Bill No. 1184, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Spottswood—

S. B. NO. 537

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Bill No. 537, contained in the above message, was referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Senator Connor—

S. B. NO. 1379

Proof of publication attached.

Also—

By Senator Galloway—

S. B. NO. 1378

Proof of publication attached.

Also—

By Senator Price—

S. B. NO. 1381

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And Senate Bills Nos. 1379, 1378, and 1381, contained in the above message, were referred to the Secretary of the Senate as Ex Officio Enrolling Clerk, for enrolling.

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendments to—

By Representatives Allsworth, Long and Bell of Broward—

H. B. NO. 2477—A BILL TO BE ENTITLED AN ACT RELATING TO THE CREATION OF A BOARD OF EXAMINERS FOR ELECTROLOGISTS IN COUNTIES HAVING A POPULATION OF 300,000-350,000 BY THE DECENNIAL CENSUS OF 1960; DEFINING THE TERM

ELECTROLOGY AND ITS APPLICATION; PROVIDING FOR REMOVAL OF MEMBERS OF THE BOARD AND PROVIDING FOR ORIGINAL MEETING AFTER CREATION OF BOARD; PROVIDING FOR A PENAL BOND IN THE SUM OF \$1,000.00; PROVIDING FOR ANNUAL EXAMINATION AND DATE THEREOF, TOGETHER WITH REQUISITES FOR APPLICANTS TO BE EXAMINED INCLUDING SUBJECTS TO BE EXAMINED UPON, PASSING GRADES AND FEES; TO PROVIDE LICENSING PROCEDURE; TO PROVIDE FOR LIMITATIONS FOR THE PRACTICE OF ELECTROLOGY; TO PROVIDE PENALTIES FOR VIOLATION OF LICENSE TO PRACTICE OR PRACTICING UNDER A FALSE OR ASSUMED NAME; TO PROVIDE FOR REVOCATION OF LICENSES; TO PROVIDE FOR JURISDICTION OF THE BOARD AND TO SET FORTH THE MECHANICS PERTAINING TO THE PROCEDURE FOR FILING COMPLAINTS BEFORE THE BOARD; TO PROVIDE THE PROCEDURE FOR HEARING COMPLAINTS BEFORE THE BOARD AND APPEALS FROM DECISIONS OF THE BOARD; TO PROVIDE FOR THE DISPOSITION OF FEES RECEIVED UNDER THIS ACT AND DISPOSITION THEREOF; TO PROVIDE FOR THE KEEPING OF RECORDS BY THE BOARD CONTAINING THE NAMES OF ALL PERSONS LICENSED UNDER THIS ACT, LICENSE NUMBER, THE DATES OF GRANTING SUCH LICENSES AND OTHER MATTERS PERTAINING TO THE LICENSEE; TO PROVIDE FOR ELIGIBILITY FOR MEMBERSHIP ON THE STATE BOARD OF ELECTROLOGY EXAMINERS; TO PROVIDE FOR THE ADMINISTRATION OF THE BOARD INCLUDING THE AUTHORITY TO APPOINT INVESTIGATORS TO DETERMINE ANY VIOLATIONS OF THIS ACT AND TO PROVIDE COMPENSATION FOR EXPENSES OF MEMBERS OF THE STATE BOARD OF ELECTROLOGY EXAMINERS; AND PROVIDING FOR AN EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

In Section 4, strike: entire section and insert in lieu thereof the following: "SECTION 4. The Board of Electrology Examiners shall hold at least one annual examination each year at a place to be designated by the Board of Electrology Examiners with the first of such examinations being held within ninety (90) days subsequent to the receipt of the first application for examination."

Amendment No. 2—

In Section 5, line 4, on page 3, following the words "good moral character," strike: "and who shall make oath that he or she has not been convicted of any offense that could constitute a felony in the State of Florida, or any other state or country,"

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

Tallahassee, Florida
June 6, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has refused to concur in Senate amendments to—

By Representatives Wingate of Nassau, Saunders of Monroe, Hasson of Sarasota, Owens of Martin, Land of Orange, Jordan of Sarasota, Thomas of Bradford, Mattox of Polk, Knowles of Manatee, Ramos of Monroe, Daniel of Lake and Strickland of Citrus—

H. B. NO. 450—A BILL TO BE ENTITLED AN ACT

RELATING TO TAX ON CIGARETTES; AMENDING SECTIONS 210.02(1)(a), (b), (c); (3)(a), (b); (4)(a), (b); (5)(a), (b); AND SECTION 210.05(3); AND ADDING SECTION 210.02(8) ALL FLORIDA STATUTES; PROVIDING DISCOUNT FOR COLLECTION; PROVIDING AN EFFECTIVE DATE.

Which amendments read as follows:

Amendment No. 1—

In Section 2, on pages 2 and 3, strike: entire Section 2 and renumber present Section 3 as Section 2

Amendment No. 2—

In Title, lines 3 and 4, on page 1, strike: ; AND SECTION 210.05 (3) ALL FLORIDA STATUTES; PROVIDING DISCOUNT FOR COLLECTION; and insert in lieu thereof the following: , FLORIDA STATUTES;

—and respectfully requests the Senate to recede therefrom.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

And House Bill No. 450, contained in the above message, was read by title, together with Senate Amendments thereto.

Senator Cross moved that the Senate do not recede from Senate Amendment No. 1 to House Bill No. 450.

Senator Pope moved as a substitute motion that the Senate recede from Senate Amendment No. 1 to House Bill No. 450.

The question was put on the substitute motion and upon call of the roll the vote was:

Yeas—19.

Askew	Cleveland	Hollahan	Price
Barber	Covington	Johnson (19th)	Ryan
Barron	Davis	Mathews	Usher
Blank	Gibson	Parrish	Young
Boyd	Henderson	Pope	

Nays—23.

Mr. President	Edwards	Johnson (6th)	Roberts
Bronson	Fraser	Kelly	Spottswood
Campbell	Galloway	McCarty	Tucker
Clarke	Gautier	Mapoles	Williams (27th)
Connor	Herrell	Melton	Williams (4th)
Cross	Johns	Pearce	

So the substitute motion failed of adoption.

The question recurred on the motion made by Senator Cross.

Upon call of the roll on the motion the vote was:

Yeas—31.

Mr. President	Edwards	Kelly	Roberts
Barber	Fraser	McCarty	Spottswood
Bronson	Galloway	Mapoles	Tucker
Campbell	Gautier	Mathews	Usher
Clarke	Herrell	Melton	Williams (27th)
Cleveland	Hollahan	Parrish	Williams (4th)
Connor	Johns	Pearce	Young
Cross	Johnson (6th)	Price	

Nays —11.

Askew	Boyd	Gibson	Pope
Barron	Covington	Henderson	Ryan
Blank	Davis	Johnson (19th)	

So the Senate refused to recede from Senate Amendment No. 1 to House Bill No. 450.

Senator Cross moved that the Senate do not recede from Senate Amendment No. 2 to House Bill No. 450.

Upon call of the roll on the motion the vote was:

Yeas—31.

Mr. President	Edwards	Kelly	Roberts
Barber	Fraser	McCarty	Spottswood
Bronson	Galloway	Mapoles	Tucker
Campbell	Gautier	Mathews	Usher
Clarke	Herrell	Melton	Williams (27th)
Cleveland	Hollahan	Parrish	Williams (4th)
Connor	Johns	Pearce	Young
Cross	Johnson (6th)	Price	

Nays—11.

Askew	Boyd	Gibson	Pope
Barron	Covington	Henderson	Ryan
Blank	Davis	Johnson (19th)	

So the Senate refused to recede from Senate Amendment No. 2 to House Bill No. 450.

Senator Cross moved that the Speaker of the House of Representatives be requested to appoint a Conference Committee on the part of the House of Representatives to confer with a like Committee to be appointed by the President on the part of the Senate to adjust the differences existing between the Senate and the House of Representatives on Senate Amendments Nos. 1 and 2 to House Bill No. 450.

Which was agreed to and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Representatives Sweeny of Volusia and Westberry of Duval—

H. B. NO. 759—A BILL TO BE ENTITLED AN ACT RELATING TO BEVERAGE LAW ADMINISTRATION; AMENDING SECTIONS 561.22, 561.24, 561.35(2) (3), 561.36(1), 561.37, 561.38, 561.41, 561.43(1), 561.49, 561.54, 561.55, 561.56, 561.57, FLORIDA STATUTES; AMENDING SECTION 561.14, FLORIDA STATUTES, BY ADDING SUBSECTION (4); AMENDING SUBSECTION (1) OF SECTION 561.35, FLORIDA STATUTES, BY ADDING PARAGRAPH (1); PROVIDING EFFECTIVE DATE.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Senator Herrell moved that the rules be waived and the Senate immediately reconsider the vote by which House Bill No. 759, as amended, contained in the above message, passed the Senate on June 6, 1963.

The President put the question: "Will the Senate now reconsider the vote by which House Bill No. 759, as amended, passed the Senate on June 6, 1963?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which House Bill No. 759, as amended, passed the Senate on June 6, 1963.

The question recurred on the passage of House Bill No. 759, as amended.

Pending consideration thereof, Senator Herrell moved that the rules be waived and the Senate immediately

reconsider the vote by which the following amendment to House Bill No. 759 was adopted by the Senate on June 6, 1963:

In Section 13, at the end of Section 561.56, F. S., insert the following:

To provide a more effective control of the illicit trafficking of spiritous beverages, no such spiritous beverage shall be transported across county lines in this state, except as authorized under the provisions of this section or by common carrier or by individuals who possess such beverages not for resale within the state.

The President put the question: "Will the Senate reconsider the vote by which the foregoing amendment to House Bill No. 759 was adopted by the Senate on June 6, 1963?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which the foregoing amendment to House Bill No. 759 was adopted by the Senate on June 6, 1963.

The question recurred on the adoption of the foregoing amendment offered by Senator Herrell to House Bill No. 759.

Pending consideration thereof, by permission of the Senate, Senator Herrell withdrew the foregoing amendment from the further consideration of the Senate.

The question recurred on the passage of House Bill No. 759.

Upon call of the roll on the passage of House Bill No. 759 the vote was:

Yeas—40.

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Clarke	Gibson	Melton	Williams (27th)
Cleveland	Henderson	Pearce	Williams (4th)
Connor	Hollahan	Pope	Young

Nays—None.

So House Bill No. 759 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By the Committee on Finance & Taxation—

H. B. NO. 2466—A BILL TO BE ENTITLED AN ACT RELATING TO PAYMENTS TO THE GENERAL REVENUE FUND FROM CERTAIN STATE MONEYS AND TRUST FUNDS; AMENDING SECTION 215.20, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Bill No. 2466, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

Tallahassee, Florida
June 6, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has passed—

By Representative O'Neill of Marion—

H. B. NO. 1313—A BILL TO BE ENTITLED AN ACT TO AMEND SECTION 212.08, SUBSECTION (8), FLORIDA STATUTES, MISCELLANEOUS EXEMPTIONS, BY REDEFINING, REARRANGING AND RESTRICTING RELIGIOUS, CHARITABLE AND EDUCATIONAL EXEMPTIONS; REMOVING EXEMPTION OF ATHLETIC CONTESTS FOR BENEFIT CRIPPLED CHILDREN'S HOSPITAL; LIMITING CHARITABLE INSTITUTIONS TO A REASONABLE PERCENTAGE OF THOSE UNABLE TO PAY; RENUMBERING AND REARRANGING THE SUB-SUB-PARAGRAPHS; PROVIDING AN EFFECTIVE DATE.

—and respectfully requests the concurrence of the Senate therein.

Respectfully,
LAMAR BLEDSOE
Chief Clerk, House of Representatives

And House Bill No. 1313, contained in the above message, was read the first time by title only and referred to the Committee on Finance and Taxation.

Tallahassee, Florida
June 6, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate Amendment No. 1 to—

By Representative Turlington of Alachua—

H. B. NO. 2160—A BILL TO BE ENTITLED AN ACT RELATING TO ANNUAL COMPENSATION AND BUDGET OF THE COUNTY JUDGE IN ANY COUNTY IN THE STATE HAVING A POPULATION OF NOT LESS THAN SEVENTY THOUSAND (70,000) AND NOT MORE THAN SEVENTY-FOUR THOUSAND TWO HUNDRED (74,200), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING FOR SALARY AND PAYMENT OF SUCH COUNTY JUDGE; PROVIDING AND REGULATING BUDGET SYSTEM FOR SUCH OFFICER; PROVIDING AN EFFECTIVE DATE.

Which amendment reads as follows:

In Section 1, line 4, on page 2, after the word "compensation" strike out "not in excess of \$1,800"

—and has refused to concur in Senate Amendment No. 2—

Which amendment reads as follows:

In Section 1, line 7, on page 1, after the words "an annual salary of" strike out "eleven thousand seven hundred dollars (\$11,700.00)" and insert in lieu thereof the following: "ten thousand five hundred dollars (\$10,500.00)"

—and respectfully requests the Senate to recede from Senate Amendment No. 2.

Respectfully,
LAMAR BLEDSOE
 Chief Clerk, House of Representatives

And House Bill No. 2160, contained in the above message, was read by title, together with Senate Amendments thereto.

Senator Cross moved that the Senate recede from Senate Amendment No. 2 to House Bill No. 2160, and the Senate receded from Senate Amendment No. 2 to House Bill No. 2160.

The action of the Senate was ordered certified to the House of Representatives immediately.

ORDER OF THE DAY

CONSIDERATION OF BILLS AND JOINT RESOLUTIONS ON SECOND READING

H. B. NO. 2125—A BILL TO BE ENTITLED AN ACT RELATING TO GENERAL AND MISCELLANEOUS APPROPRIATIONS; AMENDING SECTION 282.021, FLORIDA STATUTES, BY AMENDING SUBSECTION (15) AND ADDING SUBSECTIONS (18)-(36); AMENDING SUBSECTION (3)(a) AND (b) OF SECTION 282.051, FLORIDA STATUTES; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Cross moved that the rules be waived and House Bill No. 2125 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 2125 was read the second time by title only.

Senator Cross moved that the rules be further waived and House Bill No. 2125 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 2125 was read the third time in full.

Upon the passage of House Bill No. 2125 the roll was called and the vote was:

Yeas—41.

Mr. President	Cross	Johnson (19th)	Roberts
Askew	Davis	Johnson (6th)	Ryan
Barber	Edwards	Kelly	Spottswood
Barron	Fraser	McCarty	Tucker
Blank	Galloway	Mapoles	Whitaker
Boyd	Gautier	Mathews	Williams (27th)
Bronson	Gibson	Melton	Williams (4th)
Campbell	Henderson	Parrish	Young
Clarke	Herrell	Pearce	
Cleveland	Hollahan	Pope	
Connor	Johns	Price	

Nays—2.

Covington Usher

So House Bill No. 2125 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

H. J. R. NO. 1030—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 7 OF THE STATE CONSTITUTION RELATING TO HOMESTEAD EXEMPTION.

Be It Resolved by the Legislature of the State of Florida:

That the amendment to article X, Section 7 of the Florida Constitution as set forth below is agreed to and shall be submitted to the electors of Florida for ratification or rejection at the general election to be held in November, 1964:

SECTION 7. Exemption of homestead from taxation.—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in article X, Section 1, of the constitution, for the year 1939 and thereafter, provided that in Flagler and Sarasota county the first two thousand dollars (\$2,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entirety, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Provided however this resolution shall be inoperative in Sarasota county unless approved by the electorate thereof at an election called for that purpose.

Was taken up in its order and read the second time in full.

Senator Pope offered the following amendment to House Joint Resolution No. 1030:

Following the resolving clause, strike: the remainder of the resolution and insert in lieu thereof the following:

Section 1. That three fourths ($\frac{3}{4}$) of all members elected to each house of the legislature does determine that an emergency requiring an early decision by the electors of the state does exist with reference to the amendment to article X, Section 7 of the Florida Constitution hereby proposed dealing with the matter of homestead exemption in Flagler and Sarasota counties.

Section 2. That the following amendment to Article X, Section 7 of the Florida Constitution is hereby agreed to and shall be submitted to the electors of Florida for approval or rejection at a special called election as provided by Article XVII, Section 3, of the Florida Constitution:

ARTICLE X

SECTION 7. Exemption of homestead from taxation.—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in article X, section 1, of the constitution, for the year 1939 and thereafter, provided that in Flagler and Sarasota county the first one thousand dollars (\$1,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entirety, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the

amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 3. This resolution shall become effective only upon its approval by a majority of the freeholders, whose property shall be taxed under the provisions of this resolution, voting in a referendum election to be held in Flagler and Sarasota counties at the next special, regular primary or general election.

Section 4. Should this resolution be rejected by the freeholders whose property shall be taxed under the provisions of this resolution in Flagler county or Sarasota county, then this resolution shall be null and void as to such county whose said freeholders rejected said resolution.

Section 5. If a majority of the electors of Flagler or Sarasota counties voting at the emergency election to be held under the provisions of this resolution fails to approve the same, then this resolution shall be null and void and of no effect in the county in which the electors fail to approve this resolution.

Senator Pope moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Pope also offered the following amendment to House Joint Resolution No. 1030:

Following the Title and preceding the resolving clause, insert the following: WHEREAS, the legislature has determined that an emergency requiring an early decision by the electors of the state does exist, and

WHEREAS, an amendment to the Constitution dealing with the subject matter of homestead exemption in Flagler and Sarasota counties should be submitted to the electors of the State at the earliest possible time, NOW, THEREFORE,

Senator Pope moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Pope moved that the rules be waived and House Joint Resolution No. 1030, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Joint Resolution No. 1030, as amended, was read the third time in full as follows:

H. J. R. NO. 1030—A JOINT RESOLUTION PROPOSING AN AMENDMENT TO ARTICLE X, SECTION 7 OF THE STATE CONSTITUTION RELATING TO HOMESTEAD EXEMPTION.

WHEREAS, the legislature has determined that an emergency requiring an early decision by the electors of the state does exist, and

WHEREAS, an amendment to the Constitution dealing with the subject matter of homestead exemption in Flagler and Sarasota counties should be submitted to the electors of the State at the earliest possible time, NOW, THEREFORE,

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF FLORIDA:

Section 1. That three fourths ($\frac{3}{4}$) of all members elected to each house of the legislature does determine that an emergency requiring an early decision by the electors of the state does exist with reference to the amendment to article X, Section 7 of the Florida Constitution hereby proposed dealing with the matter of homestead exemption in Flagler and Sarasota counties.

Section 2. That the following amendment to Article X, Section 7 of the Florida Constitution is hereby agreed to and shall be submitted to the electors of Florida for approval or rejection at a special called election as provided by Article XVII, Section 3, of the Florida Constitution:

ARTICLE X

SECTION 7. Exemption of homestead from taxation.—Every person who has the legal title or beneficial title in equity to real property in this state and who resides thereon and in good faith makes the same his or her permanent home, or the permanent home of another or others legally or naturally dependent upon said person, shall be entitled to an exemption from all taxation, except for assessments for special benefits, up to the assessed valuation of five thousand dollars (\$5,000.00) on said home and contiguous real property, as defined in article X, section 1, of the constitution, for the year 1939 and thereafter, provided that in Flagler and Sarasota county the first one thousand dollars (\$1,000.00) of the assessed valuation of such property shall be taxable for school purposes only and the exemption shall apply to the next five thousand dollars (\$5,000.00) for school purposes only of assessed valuation. Said title may be held by the entireties, jointly, or in common with others, and said exemption may be apportioned among such of the owners as shall reside thereon, as their respective interests shall appear, but no such exemption of more than five thousand dollars (\$5,000.00) shall be allowed to any one (1) person or on any one (1) dwelling house, nor shall the amount of the exemption allowed any person exceed the proportionate assessed valuation based on the interest owned by such person. The legislature may prescribe appropriate and reasonable laws regulating the manner of establishing the right to said exemption.

Section 3. This resolution shall become effective only upon its approval by a majority of the freeholders, whose property shall be taxed under the provisions of this resolution, voting in a referendum election to be held in Flagler and Sarasota counties at the next special, regular primary or general election.

Section 4. Should this resolution be rejected by the freeholders whose property shall be taxed under the provisions of this resolution in Flagler county or Sarasota county, then this resolution shall be null and void as to such county whose said freeholders rejected said resolution.

Section 5. If a majority of the electors of Flagler or Sarasota counties voting at the emergency election to be held under the provisions of this resolution fails to approve the same, then this resolution shall be null and void and of no effect in the county in which the electors fail to approve this resolution.

Upon the passage of House Joint Resolution No. 1030, as amended, the roll was called and the vote was:

Yeas—29.

Mr. President	Covington	Johnson (6th)	Spottswood
Barron	Cross	McCarty	Whitaker
Blank	Davis	Mathews	Williams (27th)
Boyd	Fraser	Melton	Williams (4th)
Bronson	Gautier	Pearce	Young
Campbell	Herrell	Pope	
Clarke	Hollahan	Price	
Cleveland	Johnson (19th)	Ryan	

Nays—12.

Askew	Galloway	Johns	Parrish
Earber	Gibson	Kelly	Roberts
Connor	Henderson	Mapoles	Usher

So House Joint Resolution No. 1030, as amended, failed to receive the required Constitutional three-fourths vote of all members elected to the Senate for the 1963 Regular Session of the Florida Legislature and, therefore, failed to pass.

Senator Henderson moved that the Senate reconsider the vote by which House Joint Resolution No. 1030, as amended, failed to pass the Senate, this day.

And the motion went over under the rule.

H. B. NO. 6—A BILL TO BE ENTITLED AN ACT RELATING TO PROVISIONS FOR INSTITUTIONS OF HIGHER LEARNING; AMENDING CHAPTER 239, FLORIDA STATUTES, BY ADDING SECTION 239.371, PROVIDING FOR GRANTS FOR THE PROFESSIONAL PREPARATION OF TEACHERS OF EXCEPTIONAL CHILDREN; PROVIDING FOR RESTRICTIONS AND LIMITATIONS ON SAID GRANTS; PROVIDING FOR AN APPROPRIATION; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Melton moved that the rules be waived and House Bill No. 6 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 6 was read the second time by title only.

Senator Melton moved that the rules be further waived and House Bill No. 6 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 6 was read the third time in full.

Upon the passage of House Bill No. 6 the roll was called and the vote was:

Yeas—43.

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

Nays—None.

So House Bill No. 6 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Melton moved that Senate Bill No. 502 be withdrawn from the Committee on Appropriations.

Which was agreed to by a two-thirds vote and it was so ordered.

By permission of the Senate, Senator Melton withdrew Senate Bill No. 502 from the further consideration of the Senate.

H. B. NO. 886—A BILL TO BE ENTITLED AN ACT RELATING TO ASSISTANT STATE ATTORNEYS BY PROVIDING FOR ONE (1) ASSISTANT STATE ATTORNEY IN ADDITION TO THE ASSISTANT STATE ATTORNEY NOW PROVIDED BY LAW IN EACH JUDICIAL CIRCUIT OF THE STATE HAVING A POPULATION OF NOT LESS THAN TWO HUNDRED SEVENTY-FIVE THOUSAND (275,000) AND NOT MORE THAN THREE HUNDRED FIFTY THOUSAND (350,000), ACCORDING TO THE LATEST OFFICIAL DECENNIAL CENSUS; PROVIDING FOR THE APPOINTMENT, POWERS, RESIDENCE, DUTIES, TERM OF OFFICE AND SALARY OF SUCH ASSISTANT STATE ATTORNEY; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Askew moved that the rules be waived and House Bill No. 886 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 886 was read the second time by title only.

Senator Askew moved that the rules be further waived and House Bill No. 886 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 886 was read the third time in full.

Upon the passage of House Bill No. 886 the roll was called and the vote was:

Yeas—43.

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

Nays—None.

So House Bill No. 886 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

H. B. NO. 1699—A BILL TO BE ENTITLED AN ACT RELATING TO THE CREATION OF A STATE SYMPHONY AND OPERA TO BE ADMINISTERED BY FLORIDA STATE UNIVERSITY; PROVIDING APPROPRIATION FOR GRADUATE ASSISTANTSHIPS; PROVIDING EFFECTIVE DATE.

Was taken up in its order.

Senator Cross moved that the rules be waived and House Bill No. 1699 be read the second time by title only.

Which was agreed to by a two-thirds vote and House Bill No. 1699 was read the second time by title only.

Senator Cross moved that the rules be further waived and House Bill No. 1699 be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and House Bill No. 1699 was read the third time in full.

Upon the passage of House Bill No. 1699 the roll was called and the vote was:

Yeas—43.

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

Nays—None.

So House Bill No. 1699 passed, title as stated, and the action of the Senate was ordered certified to the House of Representatives immediately.

Senator Cross moved that Senate Bill No. 1038 be withdrawn from the Committee on Appropriations.

Which was agreed to by a two-thirds vote and it was so ordered.

By permission of the Senate, Senator Cross, on behalf

of Senator Carraway who was presiding, withdrew Senate Bill No. 1038 from the further consideration of the Senate.

S. B. NO. 787—A BILL TO BE ENTITLED AN ACT RELATING TO MOTOR VEHICLE REGISTRATION AND LICENSE PLATES; AMENDING SECTION 320.06, FLORIDA STATUTES; REQUIRING THAT LICENSE PLATES BE TREATED WITH A RETRO-REFLECTIVE MATERIAL DESIGNED TO INCREASE VISIBILITY; PROVIDING AN APPROPRIATION; PROVIDING AN EFFECTIVE DATE.

Was taken up in its order.

Senator Spottswood moved that the rules be waived and Senate Bill No. 787 be read the second time by title only.

Which was agreed to by a two-thirds vote and Senate Bill No. 787 was read the second time by title only.

The Committee on Appropriations offered the following amendment to Senate Bill No. 787:

On Pages 1 and 2, strike: all of Sections 1, 2 and 3 and insert in lieu thereof the following:

Section 1. Contingent upon HB 1346 becoming a law, there is hereby appropriated the additional sum of ninety thousand dollars (\$90,000.00) from the general revenue fund to be used to supplement the appropriation in item 759 of section 2 of the general appropriations act for the purchase of license plates treated with a retro-reflective material.

Section 2. This act shall take effect January 1, 1965.

Senator Spottswood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

The Committee on Appropriations also offered the following amendment to Senate Bill No. 787:

In Title, on page 1, strike: entire Title and insert in lieu thereof the following:

A BILL TO BE ENTITLED AN ACT PROVIDING AN ADDITIONAL APPROPRIATION FOR THE PURCHASE OF RETRO-REFLECTIVE LICENSE PLATES; AND PROVIDING AN EFFECTIVE DATE.

Senator Spottswood moved the adoption of the amendment.

Which was agreed to and the amendment was adopted.

Senator Spottswood moved that the rules be further waived and Senate Bill No. 787, as amended, be read the third time in full and put upon its passage.

Which was agreed to by a two-thirds vote and Senate Bill No. 787, as amended, was read the third time in full.

Upon the passage of Senate Bill No. 787, as amended, the roll was called and the vote was:

Yeas—43.

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

Nays—None.

So Senate Bill No. 787 passed, as amended, and was refer-

red to the Secretary of the Senate as Ex Officio Engrossing Clerk, for engrossing.

And Senate Bill No. 787 was ordered immediately certified to the House of Representatives, after being engrossed.

Senator Price moved that the rules be waived and the Senate revert to consideration of messages from the House of Representatives.

Which was agreed to by a two-thirds vote and it was so ordered.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The following messages from the House of Representatives were received and read:

Tallahassee, Florida
June 7, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has granted the request of the Senate and returns herewith—

By Senator Parrish—

S. B. NO. 300—A BILL TO BE ENTITLED AN ACT AUTHORIZING EXPENDITURE FOR APPROVED CAPITAL IMPROVEMENT PROJECTS AT JUNIOR COLLEGES AND INSTITUTIONS UNDER THE BOARD OF CONTROL; PROVIDING AN EFFECTIVE DATE.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Senator Price moved that the rules be waived and the Senate immediately reconsider the vote by which Senate Bill No. 300, as amended, contained in the above message, passed the Senate on May 29, 1963.

The President put the question: "Will the Senate now reconsider the vote by which Senate Bill No. 300, as amended, passed the Senate on May 29, 1963?"

Which was agreed to by a two-thirds vote and the Senate reconsidered the vote by which Senate Bill No. 300, as amended, passed the Senate on May 29, 1963.

The question recurred on the passage of Senate Bill No. 300, as amended.

Pending consideration thereof, Senator Price moved that Senate Bill No. 300, as amended, be re-referred to an appropriate committee or committees for further study.

Which was agreed to and Senate Bill No. 300, as amended, was recommitted to the Committee on Education—Higher Learning and the Committee on Appropriations.

Tallahassee, Florida
May 28, 1963

The Honorable Wilson Carraway
President of the Senate

Sir:

I am directed by the House of Representatives to inform the Senate that the House of Representatives has concurred in Senate amendment to—

By Representatives Pruitt and Dressler of Brevard—

H. B. NO. 1290—A BILL TO BE ENTITLED AN ACT CREATING, ESTABLISHING, AND ORGANIZING A MUNICIPAL CORPORATION TO BE KNOWN AS AND DESIGNATED AS THE CITY OF INDIAN HARBOUR BEACH, TO BE LOCATED IN BREVARD COUNTY,

FLORIDA, DEFINE ITS TERRITORIAL BOUNDARIES, TO PROVIDE FOR AND DESCRIBE ITS GOVERNMENT, JURISDICTION, POWERS, DUTIES, FRANCHISES, AND PRIVILEGES, TO AUTHORIZE THE IMPOSITION OF PENALTIES FOR VIOLATION OF ITS ORDINANCES, TO PROVIDE FOR THE COLLECTION, LIEN, ENFORCEMENT, AND LEVY OF TAXES, BOTH REAL AND PERSONAL, TO PROVIDE FOR A SYSTEM OF REVENUE AND TAXATION, TO GRANT THE POWER OF SPECIAL ASSESSMENTS FOR ROADS, PAVEMENTS, DRAINAGE, AND OTHER MUNICIPAL IMPROVEMENTS, TO GRANT THE POWER OF ZONING, TO GRANT THE POWER TO ABATE NUISANCES, TO PROVIDE FOR PERPETUAL EXISTENCE OF THE CITY OF INDIAN HARBOUR BEACH, FLORIDA.

Proof of publication attached.

Which amendment reads as follows:

In Section 1, line 3, on page 4, add after the word, "Beginning" the following: A parcel of land in Section 12, Township 27 South, Range 37 East, Brevard County, Florida, more particularly described as follows:

Beginning at the Southeast corner of Lot 8, of Unit No. One, SEACOAST SHORES, according to the plat thereof, recorded in Plat Book 12, Page 55, of the Public Records of Brevard County, Florida;

THENCE West along the South line of said lot 8 and the South line of lot 7 of Said Unit No. One SEACOAST SHORES, 641.28 feet to the Southwest corner of said Lot 7;

THENCE N-40° 09' 34" -E, along the West boundary of said Lot 7, 328.84 feet to the North corner of said Lot 7;

THENCE N-0° 03' 06" -E, 432.94 feet to a point on the South Right-of-way line of Atlantic Boulevard;

THENCE N-78° 06' 56" -E, along the South Right-of-way line of said Atlantic Boulevard, 278.71 feet to a point on the West Right-of-way line of Florida State Road A.1.A.;

THENCE S-11° 53' 04" -E, along the West Right-of-way line of said Florida State Road A.1.A., 757.91 feet to the Point of Beginning.

Commence at the Northwest corner of Section 13, Township 27 South, Range 37 East, as a point of beginning. Run East 1318.40 feet to a concrete marker; continue East 1318.40 feet to a concrete marker;

THENCE run South 11° 50 minutes 20 seconds East along the West Right-of-way of State Road A.1.A for a distance of 665.74 feet;

THENCE run West for 1436.69 feet;

THENCE run South 89° 56 minutes 55 seconds West for 1318.95 feet to a concrete marker;

THENCE run North 1° 33 minutes 20 seconds West for 653.01 feet to the point of beginning. Also known as GOLDEN BEACH SUBDIVISION.

Respectfully,

LAMAR BLEDSOE

Chief Clerk, House of Representatives

Senator Edwards moved that the Senate proceed to the consideration of Executive Business.

Which was agreed to and the Senate went into Executive Session at 12:14 o'clock P. M.

The Senate emerged from Executive Session at 12:48 o'clock P. M., and resumed its Session.

The roll was called and the following Senators answered to their names:

Mr. President	Covington	Johns	Price
Askew	Cross	Johnson (19th)	Roberts
Barber	Davis	Johnson (6th)	Ryan
Barron	Edwards	Kelly	Spottswood
Blank	Fraser	McCarty	Tucker
Boyd	Galloway	Mapoles	Usher
Bronson	Gautier	Mathews	Whitaker
Campbell	Gibson	Melton	Williams (27th)
Clarke	Henderson	Parrish	Williams (4th)
Cleveland	Herrell	Pearce	Young
Connor	Hollahan	Pope	

—43.

A quorum present.

Senator Cleveland moved that the House of Representatives be requested to return House Bill No. 1560 to the Senate for further action.

Which was agreed to and it was so ordered.

Senator Cross moved that the rules be waived and when the Senate adjourns at this Session it adjourn to reconvene at 2:00 o'clock P. M., Monday, June 10, 1963.

Which was agreed to by a two-thirds vote and it was so ordered.

Senator Cross moved that the Senate adjourn.

Which was agreed to and the Senate stood adjourned at 12:49 o'clock P. M., until 2:00 o'clock P. M., Monday, June 10, 1963.